

RELATING TO THE APPREHENSION OF CERTAIN PERSONS DE-
SIRED AS WITNESSES BEFORE THE SPECIAL COMMITTEE TO
INVESTIGATE ORGANIZED CRIME IN INTERSTATE COMMERCE

FEBRUARY 8 (legislative day, JANUARY 29), 1951—Ordered to be printed

Mr. KEFAUVER, from the Special Committee To Investigate Organized
Crime in Interstate Commerce, submitted the following

REPORT

[To accompany S. Res. 65]

The Special Committee To Investigate Organized Crime in Interstate Commerce finds that the investigation which it is conducting pursuant to Senate Resolution 202 (81st Cong., 2d sess.) is being seriously obstructed by the inability of its staff, the inability of peace officers, and the inability of the Sergeant at Arms of the Senate to serve the committee's subpoenas on various persons whose testimony is relevant and material to its inquiry.

The committee finds as a matter of fact that there is reasonable cause to believe, and does believe, that each of the persons whose names and last-known addresses are set out below is significantly and prominently engaged in, associated with, or has information pertinent to organized criminal activities which utilize the facilities of interstate commerce and operate in interstate commerce in furtherance of transactions which are in violation of the laws of the United States or of one or more of the several States. The committee finds, as a matter of fact, that these persons have in their possession information of a material nature pertaining to such organized crime, which information this committee must obtain in order properly to discharge its duty under the terms of Senate Resolution 202.

The committee further finds, as a matter of fact, that there is reasonable cause to believe and does believe that these witnesses are aware of the fact that the committee is seeking their testimony and presence and have left their usual residences and places of business and gone into hiding, or have left the United States in the hope that the committee's investigation and authorization will come to an end before they can be served and thus required to testify.

The committee has issued subpoenas for these witnesses and through the efforts of its own staff has diligently sought to have the subpoenas

served. The press, radio, and other public means of communication have carried widespread stories that these persons were evading the committee's subpoenas. Intensive efforts have been made by peace officers of many States deputized for this purpose to locate these persons and serve the committee's subpoenas upon them. Members of the families and business associates of these persons have been interrogated as to their whereabouts. In addition, the assistance of the United States marshals, sheriffs, and officials of local and State police departments have been sought and they have cooperated in endeavoring to serve such persons. The committee believes that none of these persons could reasonably claim that they were unaware of the committee's purposes in attempting to obtain their testimony.

In addition to the diligent efforts described, subpoenas calling for the appearance of these persons were handed to the Sergeant at Arms of the Senate on December 26, 1950, and January 3, 1951, upon the policy recommendation of the Judiciary Committee of the Senate, and he was asked to use all the facilities at his command to effectuate service. The Sergeant at Arms of the Senate by letter or by telegram on January 15, 1951, and January 18, 1951, has informed the chairman of the committee that he has been unable to effect service upon these persons and that he believes a number of them to be outside the United States. As stated, the fact that these persons are wanted as witnesses by the special committee and that all of the above efforts to effect service upon them have been frustrated has been given very wide publicity through the channels of public information and is at this point a matter of widespread knowledge. The committee believes that there is no reasonable explanation for the disappearance of these persons from their usual places of abode other than that it is their intention to remain in hiding and thus frustrate and defy the committee and, through it, the Senate of the United States.

The committee, therefore, after careful consideration has concluded that it should take every lawful step at its command to compel the attendance of these witnesses before it, or at the bar of the Senate if this committee has expired under the law before they can be found, or before such appropriate standing committee as the Senate may designate. The committee, therefore, has concluded that warrants of arrest to secure the appearance of these persons before the committee or before the Senate are both necessary and proper. Warrants are proper because despite diligent search these persons cannot be found and are necessary in order that the committee may fulfill its task under the terms of the Senate Resolution 202.

The committee, after careful consideration, has concluded that warrants of arrest are proper under the Constitution and are in accordance with the precedents of the Senate under these circumstances (*McGrain v. Daugherty*, 273 U. S. 135 (1927); *Barry v. U. S. ex rel. Cunningham*, 279 U. S. 597 (1929)) and the committee has endeavored to follow the policy recommendation of the Judiciary Committee in its report to the Senate of December 1950.

The committee therefore recommends that the Senate authorize and direct the President of the Senate to issue warrants commanding the Sergeant at Arms of the Senate, or such persons as may be deputized by him, to take into custody the following persons in accordance with Senate Resolution 65:

Rocco Fischetti, alias Ralph Fisher, 3100 North Sheridan Road, Chicago, Ill.

Charles Fischetti, alias Charles Fisher, Dr. Charles Fisher, Charles Brown, and Ralph Fields, 3100 Sheridan Road, Chicago, Ill., or 6471 Allison Road, Miami, Fla.

Murray Llewellyn Humphreys, 7710 Bennett Avenue, Chicago, Ill.

Jacob Guzik, 7240 Louella Avenue, Chicago, Ill.

William G. O'Brien, 600 Southwest Twenty-first Road, Miami, Fla.

John Angersola, alias King, 4431 Alton Road, Miami, Fla.

Moe Dalitz, alias Davis, 400 Parkview Drive, Detroit, Mich.

Samuel T. Haas, 17600 Parkland Drive, Shaker Heights, Ohio.

Morris Kleinman, 12701 Shaker Boulevard, or 2881 East Overlook Road, Cleveland, Ohio.

Louis Rothkapf, alias Rhody, Bainbridge Road, South Chagrin Falls, Ohio, or Room 803, Hollenden Hotel, Cleveland, Ohio.

Samuel "Gameboy" Miller, 4646 Pinetree Drive, Miami Beach, Fla.

Morris "Mushy" Wexler, 1635 Ivydale Avenue, Cleveland, Ohio.

Samuel Tucker, Desert Inn, Las Vegas, Nev.

George Angersola, alias King, 936 East Eighty-fifth Street, Cleveland, Ohio.

John Croft, Yorkshire Club, Newport, Ky.

James Brink, Lookout House, Covington, Ky.

Louis Levinson, Flamingo Club, Newport, Ky.



